IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital the 27the April, 2006
Bail Application No. 339 of 2006

Order on the bail application of accused.

CRIMINAL SIDE

Badri Singh
S/o Sri Lachman Singh
R/o Village – Henera, Post-Gangolihat
Thana-Barinag,
District – Almora .....Applicant

Versus

State of Uttaranchal .....Opposite Part

In Case Crime No. 92 of 2006
U/s 307 I.P.C.
Police Station – Barinag
District – Pithoragarh

Hon'ble J. C. S. Rawat, J.

Heard Sri B.S. Adhikari-learned counsel for the applicant, learned AGA for the State and perused the record.

The injured sustained the firearm injury on his vital part of the body. According to the injured, Bhopal Singh and Shankar Singh the present applicant fired upon the injures by the country made pistol. The matter was reported immediately to the police station. It was contended by the learned counsel for the applicant that there is no intention to kill, as such, the case does not fall within the ambit of 307 I.P.C.. Taking into the consideration this argument, even than the case u/s 308 I.P.C. cannot be ruled out.

Considering the facts and circumstances of the case in totality, it is not a fit case for bail at this stage.

Accordingly, the bail application is rejected.

(J.C.S. Rawat, J.)

Dated 27.04.2006

Shiv